

IN RE: PETITION FOR VARIANCE
E/S York Road, 1009' S of
the c/l of Thelma Street
(2311 York Road)
8th Election District
3rd Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-435-A
Baltimore County, Maryland - Owner
Pantimonium Limited Partnership - Contract Purchaser/Lessee

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 2311 York Road, located in the vicinity of the Maryland State Fairgrounds in Timonium. The Petition was filed by the owner of the property, Baltimore County, Maryland, a body politic, by Shirley M. Murphy, Chief, Division of Real Estate, and the Contract Purchaser/Lessee, Pantimonium Limited Partnership, by Thomas F. Obrecht, President, Obrecht Management Group, Inc., and H. John Brennermann, III, Esquire. The Petitioners seek relief from Sections 243 and 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit parking spaces with direct access to a vehicular travelway. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas F. Obrecht, Paul B. Dittmar, and H. John Brennermann, III, Esquire, representatives of Pantimonium Limited Partnership, Contract Lessee. Also present was Debra Wittle, with STV Group, the engineering/architectural firm which prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Testimony and evidence offered revealed that the subject property is a small, irregular shaped parcel consisting of 11,614 sq.ft., more or less, zoned M.R. The property is located adjacent to a service road which provides access to businesses and office buildings from 2219 York Road to 2311 York Road. This service road runs parallel to York Road (Maryland Route 45) across from the Maryland State Fairgrounds in Timonium. The property at 2311 York Road is located on the east side of York Road, 139 feet south of Thelma Street, and was the subject of a Petition for Special Hearing in 1988. In that case (Case No. 88-384-SPH), zoning relief was obtained by the prior owners of that parcel to permit a five story office building thereon. The Petitioners in the instant case now come before me seeking approval to use the property adjacent to the service road as an additional area for parking to support the building at 2311 York Road. Specifically, as shown on the site plan, the Petitioners intend to install 20 parking spaces in a perpendicular fashion adjacent to the service road. These parking spaces will provide additional parking for the occupants and visitors to the office building. The Petitioners noted that this additional parking will alleviate traffic congestion in the area and be beneficial for occupants of the subject site and adjacent properties.

There were no Protestants present and the relief requested enjoys the support of the member agencies of the Zoning Plans Advisory Committee. Specifically, a comment in favor of the variance was received from the Office of Planning, conditioned upon the implementation of landscaping. In fact, The site plan submitted and marked into evidence as Petitioner's Exhibit 1, shows an approved schematic landscape plan for the site which will be implemented. The Development Plans Review Division of the Depart-

ment of Permits and Development Management (DPDM) also endorses the Petition for Variance, so long as landscaping is installed.

Based upon the uncontradicted testimony and evidence presented, I am persuaded to grant the variance relief. In my judgment, the property carries with it a unique characteristic which justifies the request. Moreover, strict compliance with the zoning regulations would cause practical difficulty upon the Petitioner and is unnecessary. The parking layout in the manner proposed is entirely appropriate. In addition, pursuant to Section 240.5 of the B.C.Z.R., the granting of the variance relief and this Order will constitute approval of an amendment to the site plan approved in prior Case No. 88-384-SPH.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1996 that the Petition for Variance seeking relief from Sections 243 and 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit parking spaces with direct access to a vehicular travelway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any use permits, the Petitioners shall implement the approved landscaping plan in accordance with Petitioner's Exhibit 1.

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Date

By

MICROFILM

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/24/16
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1996

(410) 887-4386

Ms. Shirley M. Murphy
Chief, Division of Real Estate
Baltimore County, Maryland
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
E/S York Road, 1009' S of the c/l of Thelma Street
(2311 York Road)
8th Election District - 3rd Councilmanic District
Baltimore County, Maryland - Owner;
Pantimonium Limited Partnership - Contract Purchaser/Lessee
Case No. 96-435-A

Dear Ms. Murphy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Thomas F. Obrecht, President, and
H. John Brennermann, III, c/o Obrecht Management Group, Inc.
9475 Deereco Road, Suite 400, Timonium, Maryland 21093.

Robert A. Hoffman, Esquire, Venable, Baetjer & Howard
210 Allegheny Avenue, Towson, Md. 21204

People's Counsel; Case/File

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2311 York Road
adjacent to: Timonium, Maryland 21093

which is presently zoned "MR"

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached Memorandum in Support of
Petition for Variance.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See attached Memorandum in Support of
Petition for Variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

PANTIMONIUM LIMITED PARTNERSHIP

By: Obrecht Management Group, Inc.

(Type or Print Name)

By: *Thomas F. Obrecht*

Signature

Thomas F. Obrecht, Pres.

Suite 400

9475 Deereco Road

Address

Timonium, Maryland 21093

City

State

Zipcode

Attorney for Petitioner:

H. John Bremermann, III, Esq.

(Type or Print Name)

H. John Bremermann, III

Signature

c/o Obrecht Management Group, Inc.

Suite 400

9475 Deereco Road 561-5858 (EXT. 2)

Address

Phone No.

Timonium, Maryland 21093

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Baltimore County, Maryland

(Type or Print Name)

Shirley M. Murphy

Signature

Shirley M. Murphy, Chief,

(Type or Print Name)

Division of Real Estate

Signature

111 W. Chesapeake Avenue (887-3251)

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

H. John Bremermann

Name

9475 Deereco Rd. 561-5858

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 5-2-96

Zoning Administration

Obrecht Management

MICROFILMED

Printed with Soybean Ink
on Recycled Paper

ORDER RECEIVED FOR FILING

Date

By

4-33

96-435-A

MEMORANDUM IN SUPPORT OF PETITION FOR VARIANCE

Pantimonium Limited Partnership (hereinafter "Petitioner") hereby petitions for a variance from Sections 243 and 409 to allow parking spaces with direct access to a vehicular travelway for the reason that strict conformance with same would result in a practical difficulty and prohibit Petitioner from using the Property for a permitted purpose.

The "MR" property subject to this Petition (hereinafter "Property") is owned by Baltimore County and comprises part of that unimproved ground between Maryland Route 45 (York Road) and the "service road" providing access to businesses and office buildings from 2219 York Road through 2311 York Road. Due to the creation of the service road, the Property has no functional use other than parking and a variance is required to enable its use as same.

~~The Property is immediately adjacent to the parcel of land known as 2311 York Road, owned by the Petitioner, and previously the subject of a Petition for Special Hearing, Case No. 88-384-SPH. (Therefore, in the alternative, and pursuant to Section 240.5, Petitioner seeks approval of the Zoning Commissioner for a change to the plan submitted and approved in that case.)~~

Petitioner has secured approval from Baltimore County to lease the Property and improve same for use as off-street parking to accommodate Roadnet Technologies, Inc. (a/k/a United Parcel Service, Inc.) (hereinafter "UPS"), the occupant of the office

ORDER RECEIVED FOR FILING

Date 6/21/96
By [Signature]

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433.

building owned by Petitioner and located at 2311 York Road. Baltimore County, as owner of the Property, has joined in this Petition for Variance.

Strict conformance with the off-street parking requirements of Section 409.4 C. would unreasonably prevent the use of the Property for the permitted purpose of parking, which is required by UPS. Moreover, construction of the improvements, as more fully detailed on the plat attached to this Petition, has been approved by the Office of Planning and Zoning as evidenced by the "Interoffice Correspondence", dated June 23, 1994, a copy of which is attached.

The relief requested by Petitioner is in strict harmony with the spirit and intent of the off-street parking regulations described in Section 409.4 C. by insuring that adequate space exists, i.e. the service road, for the safe and efficient circulation and maneuvering of vehicles. Furthermore, such relief may be granted without the possibility of injury to the public health, safety and general welfare.

Therefore, for the reasons set forth above and for other reasons to be presented at the hearing, Petitioner seeks the relief requested.



STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

96-435-A

ZONING DESCRIPTION FOR ROADNET PARKING EXPANSION TIMONIUM, BALTIMORE COUNTY, MARYLAND

BEGINNING at a point along the east side of York Road, Maryland Route No. 45, which is 79.36 feet wide, at the distance of 1,009.17 feet south of the intersection with the projection of the centerline of Thelma Street, which is 40 feet wide, thence running along the east side of said York Road, the four (4) following courses and distances:

1. North 18°27'32" West 170.11 feet to a point, thence
2. North 71°32'28" East 0.64 foot to a point on said east side of York Road (80 feet wide), thence continuing,
3. By a curve to the right having a radius of 17,316.78 feet, an arc length of 242.91 feet, said curve being subtended by a chord bearing North 18°03'25" West 242.91 feet to a point reverse curvature, thence
4. By a curve to the left having a radius of 76,644.36 feet, an arc length of 259.00 feet, said curve being subtended by a chord bearing North 17°45'07" West 259.00 feet to a point, thence leaving York Road and running,
5. North 27°07'45" East 55.66 feet to a point, thence
6. By a curve to the right having a radius of 42.00 feet, an arc length of 82.64 feet, said curve being subtended by a chord bearing South 44°08'26" East 69.94 feet to a point of reverse curvature, thence
7. By a curve to the left having a radius of 508.00 feet, an arc length of 272.21 feet, said curve being subtended by a chord bearing South 03°07'24" East 268.97 feet to a point, thence
8. South 18°28'27" East 388.53 feet to a point, thence
9. South 71°31'33" West 4.58 feet to the place of beginning, which is part of that parcel as recorded in Deed Liber W.J.R. No. 3868, Folio 100.

MICROFILM

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STV Incorporated

96-435-A

BEING a portion of that parcel shown as "Widening for Service Road" in the subdivision of STRATFORD INDUSTRIAL SITE, as recorded in Baltimore County Plat Book G.L.B. No. 24, Folio 36, and the herein described portion of said parcel contains 11,294 square feet or 0.259 acre of land, and located in the eighth (8th) Election District.

Mark A. Riddle

February 28, 1996

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899



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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

96-435-A

District

Varadero

Date of Posting *5/24/96*

Posted for

Petitioner: *Portimor Inc. Limited Partnership*

Location of property: *2311 York Rd*

Location of Sign

Facing roadway on property being zoned

Remarks:

Posted by

M. Kelly

Signature

Date of return: *5/31/96*

Number of Signs: *1*

UNRECORDED

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-435-A
(Item 433)

2311 York Road
E/S York Road, 1009' S of

of Thelma Street

8th Election District

3rd Councilmanic

Legal Owner(s):

Baltimore County, Maryland

Lessee:

Pandemonium Limited Partnership

Variance: to allow parking spaces with direct access to a vehicular travelway.

Hearing: Thursday, June 13, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

5/23/96 May 16 C52620

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 17, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 16, 1996.

THE JEFFERSONIAN,

A. A. Jenkins

LEGAL AD. - TOWSON

RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 433 Petitioner: Pantimonium Limited Partnership
Location: 2219-2311 York Rd, Timonium, Md.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: H. John Seemermann III c/o P. Fred K Obruch
ADDRESS: 9475 Beech Road, Suite 400
Timonium, Maryland 21093
PHONE NUMBER: 561-5858

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TO: PUTUXENT PUBLISHING COMPANY
May 16, 1996 Issue - Jeffersonian

Please forward billing to:

H. John Bremermann, III, Esq.
c/o Obrecht Management Group, Inc.
9475 Deereco Road, Suite 400
Timonium, MD 21093
561-5858

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-435-A (Item 433)
2311 York Road
E/S York Road, 1009' S of c/l Thelma Street
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County, Maryland
Lessee: Pantimonium Limited Partnership

Variance to allow parking spaces with direct access to a vehicular travelway.

HEARING: THURSDAY, JUNE 13, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 13, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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E/S York Road, 1009' S of c/l Thelma Street
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County, Maryland
Lessee: Pantimonium Limited Partnership

Variance to allow parking spaces with direct access to a vehicular travelway.

HEARING: THURSDAY, JUNE 13, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Shirley M. Murphy/Division Real Estate
H. John Bremermann, III, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 7, 1996

H. John Bremermann, III, Esquire
c/o Obrecht Management Group, Inc.
Suite 400
9475 Deerco Road
Timonium, Maryland 21093

RE: Item No.: 433
Case No.: 96-435-A
Petitioner: Baltimore County

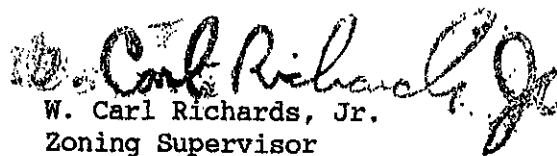
Dear Mr. Bremermann:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 2, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: May 20, 1996

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for May 20, 1996
 Item No. 433

The Development Plans Review Division has reviewed the subject zoning item. A Schematic Landscape Plan that provides a streetscape buffer for this proposal must be submitted and approved as a condition for receiving the variance. A Final Landscape Plan must be approved as a condition of receiving a grading permit.

RWB:HJO:jrb

cc: File

ZONE10E

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: May 15, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 2311 York Road

INFORMATION:

Item Number: 433

Petitioner: Baltimore County, Maryland

Property Size: _____

Zoning: M.R.

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

This office should support the Variance with the understanding that all of the landscaping shown on the Concept Plan prepared by our office dated 6/20/94, and as described in our memo to Lois Bergman dated 6/23/94, will be installed and maintained by the petitioner. (The landscaping is not shown on the Plan to Accompany the Zoning Variance).

Granting of the Variance will provide a beneficial use of the property for the petitioner, and improve the physical attractiveness of the area through additional landscaping. The landscaping will also compensate for the loss of visual open space created by the construction of the parking spaces. We do not anticipate any negative impact on health, safety or welfare through the granting of the Variance, so long as the landscaping is provided.

Prepared by: Jeffrey W. Ly

Division Chief: Carol L. Kerns

PK/JL/lw

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 05/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428,
429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 6-4-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 13/1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 423 432
424 433
425 434
426 435
428 436
429
430
431

Seeley

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

5-20-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 433 (TRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance ~~(S)~~ onto MD/US #45 ~~is~~ acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

ENCLOSURE

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#423 --- JRF

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

#426 --- JLL

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

#428 --- CAM

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.


#429 --- JLL

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

#431 --- CAM

1. No review information on bottom of petition form.

#433 --- JRA

- 
1. No wording or section number of petition form for variance.
 2. Folder says zoning is "B.M. & M.R."; petition says zoning is "M.R." - which is correct??
 3. Checks and receipt still in folder - never cashed.

#435 --- JJS

1. Need title of person signing for legal owner. Need authorization for person signing for legal owner.

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 2, 1996

TO: Hearing Officer

FROM: John R. Alexander
Planner II
Zoning Review, PDM

SUBJECT: Item #433
2311 York Road

The applicant, H. John Bremermann, has been advised that additional information including modifications to the site plan to show the entire property and structures and buildings on adjacent properties should be made before the application is submitted.

He has elected to proceed at his own risk and insists on submitting the application as is.

JRA:scj

MICROFILMED

RE: PETITION FOR VARIANCE * BEFORE THE
2311 York Road, E/S York Road, 1009' S *
of c/l Thelma Street, 8th Election * ZONING COMMISSIONER
District, 3rd Councilmanic * OF BALTIMORE COUNTY
Legal Owner: Baltimore County, Maryland *
Lessee: Pantimonium Limited Partnership * CASE NO. 96-435-A
Petitioners

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to H. John Bremermann, III, Esquire, c/o Obrecht Mgmt. Group, Inc., 9475 Deereco Road, Suite 400, Timonium, MD 21093, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

5/2/96
c8

96-2147

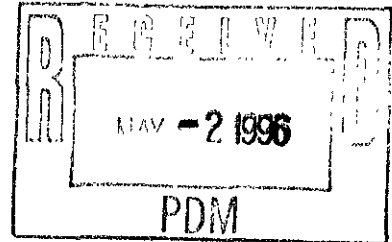
OBRECHT

RE OBRECHT & SON

April 30, 1996

OVERNIGHT DELIVERY

Mr. John R. Alexander
Baltimore County Office of Zoning
Administration & Development Management
Development Control
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204



Re: Petition for Variance
Pantimonium Limited Partnership
Leasing of a portion of
York Service Road
For additional parking
The Roadnet Building
2311 York Road
Timonium, Maryland 21093

Dear John:

As a follow-up to our meeting this morning, I am enclosing the completed Application referenced above, together with all attachments. At your request, I am also enclosing a check in the amount of \$250.00 to cover the recordation fee for the Application. Also enclosed is a check in the amount of \$47.00 representing \$12.00 in "copying costs" and \$35.00 for signage.

By copy of this correspondence, I am advising Tony Corteal of STV Group of the Petitioner's need to modify the plan to include certain information with regard to adjoining property owners. I hope to provide a copy of that plan at the time of the hearing.

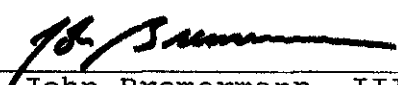
I appreciate your assistance and, if you should require anything further, please do not hesitate to contact me directly.

Very truly yours,

PANTIMONIUM LIMITED PARTNERSHIP

By: Obrecht Management Group, Inc.
Managing General Partner

By:


H. John Bremermann, III
Vice President/General Counsel

HJB/pg/jb1430

Enclosures

cc: All Partners

Mr. Anthony J. Corteal

433

96-435-A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Lois Bergman
887-3980
FROM: Kathy Schlabach *KS*
Office of Planning & Zoning

DATE: June 23, 1994

SUBJECT: York Service Road, File No. I-94-021

We have met with KCI Technologies Inc. and Mr. Obrecht to discuss the release of this property. We have reached an understanding that if the property is developed in accordance with the enclosed conceptual plan prepared by the Baltimore County Office of Planning and Zoning, dated 6-20-94, to include 20 to 21 perpendicular compact parking spaces, buffer and ornamental landscaping, and street trees along the entire length, we are willing to release our hold on the property. We would like to see the above incorporated as a deed restriction. The property could be developed for other uses, or serve other owners, and therefore its sale should be subject to an open bid process.

KS:lw
KSYKSER.RD/PZONE/TXTLLE

Enclosure

cc: Brian Sullivan, KCI Technologies, Inc.
Steve Weber, Balto. Co. Traffic Engineering

Post-It® Fax Note	7671	Date	6/26	# of pages	2
To	TECH - OBRECHT	From	KAY HEIL		
Co./Dept.	PF OBRECHT	Co.	KCI		
Phone #	561-5858	Phone #	316 7852		
Fax #	561-2367	Fax #	316 7853		

JUN 27 1994

MICROFILMED

433

Baltimore County
Office of Planning & Zoning

11-30' 6-20-94

MICROFILMED

Proposed F.O.W.

— C.A. H. A. S.

— J.A.K.S.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Rob Hoffman

Tom F. OBRECHT

Paul B. Dittmer

DEBRA WITTLE

H. John Bremermann III

ADDRESS

210 Allegheny Ave 21204

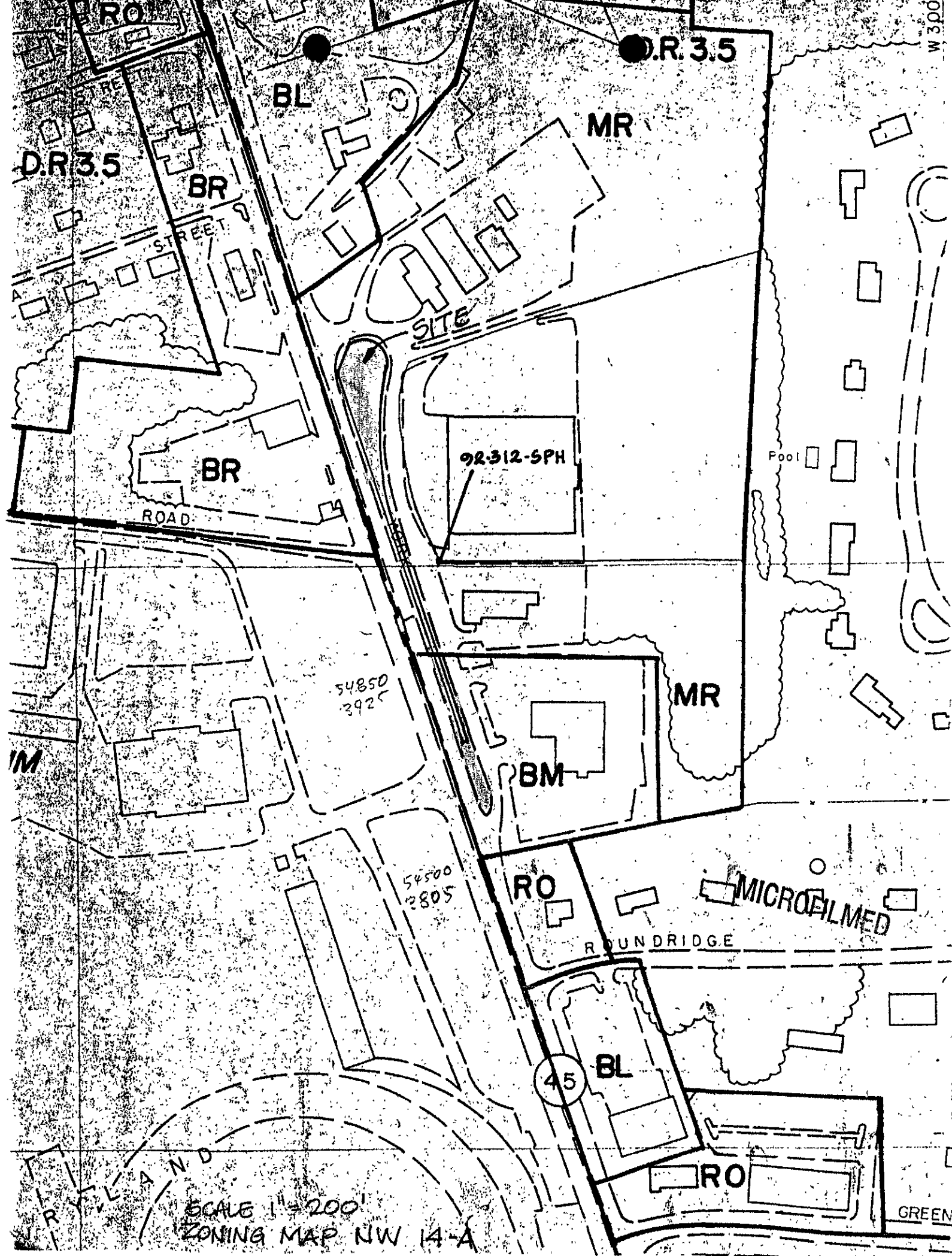
9475 Deereco Road

2311 York Rd 21093

STV GROUP 21 Governor's Ct.

9475 Deereco Rd

MICROFILMED



SCALE 1"=200'
ZONING MAP NW 14-A

GREEN

MICROFILMED

ROUNDRISE

45

BL

RO

RO

BM

MR

92-312-SPH

54850
3925

54500
2805

ROAD

BR

BR

D.R.3.5

BL

MR

R.3.5

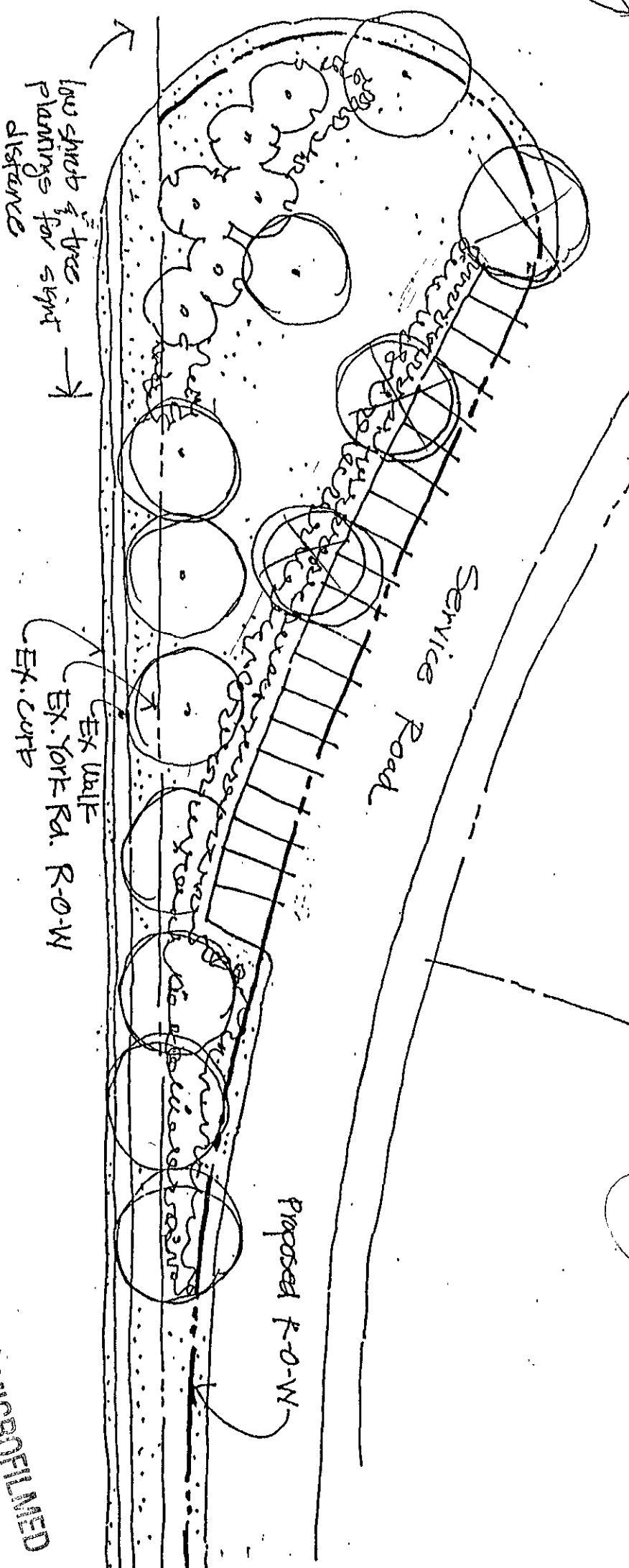
RO

W 300

Roadnet

433

— CHAKS
— CLABAR-DES



20 compact spaces

YORK

ROAD

MICROFILMED

1"=30' 6-20-94

IN RE: PETITION FOR VARIANCE
E/S York Road, 1009' S of
the c/l of Thelma Street
(2311 York Road)
8th Election District
3rd Councilmanic District
Baltimore County, Maryland - Owner
Pantimonium Limited Partnership - Contract Purchaser/Lessee

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-435-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 2311 York Road, located in the vicinity of the Maryland State Fairgrounds in Timonium. The Petition was filed by the owner of the property, Baltimore County, Maryland, a body politic, by Shirley M. Murphy, Chief, Division of Real Estate, and the Contract Purchaser/Lessee, Pantimonium Limited Partnership, by Thomas F. Obrecht, President, Obrecht Management Group, Inc., and H. John Brennermann, III, Esquire. The Petitioners seek relief from Sections 243 and 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit parking spaces with direct access to a vehicular travelway. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas F. Obrecht, Paul B. Dittmar, and H. John Brennermann, III, Esquire, representatives of Pantimonium Limited Partnership, Contract Lessee. Also present was Debra Wittle, with STV Group, the engineering/architectural firm which prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a small, irregular shaped parcel consisting of 11,614 sq.ft., more or less, zoned M.R. The property is located adjacent to a service road which provides access to businesses and office buildings from 2219 York Road to 2311 York Road. This service road runs parallel to York Road (Maryland Route 45) across from the Maryland State Fairgrounds in Timonium. The property at 2311 York Road is located on the east side of York Road, 139 feet south of Thelma Street, and was the subject of a Petition for Special Hearing in 1988. In that case (Case No. 88-384-SPH), zoning relief was obtained by the prior owners of that parcel to permit a five story office building thereon. The Petitioners in the instant case now come before me seeking approval to use the property adjacent to the service road as an additional area for parking to support the building at 2311 York Road. Specifically, as shown on the site plan, the Petitioners intend to install 20 parking spaces in a perpendicular fashion adjacent to the service road. These parking spaces will provide additional parking for the occupants and visitors to the office building. The Petitioners noted that this additional parking will alleviate traffic congestion in the area and be beneficial for occupants of the subject site and adjacent properties.

There were no Protestants present and the relief requested enjoys the support of the member agencies of the Zoning Plans Advisory Committee. Specifically, a comment in favor of the variance was received from the Office of Planning, conditioned upon the implementation of landscaping. In fact, The site plan submitted and marked into evidence as Petitioner's Exhibit 1, shows an approved schematic landscape plan for the site which will be implemented. The Development Plans Review Division of the Depart-

ment of Permits and Development Management (DPDM) also endorses the Petition for Variance, so long as landscaping is installed.

Based upon the uncontradicted testimony and evidence presented, I am persuaded to grant the variance relief. In my judgment, the property carries with it a unique characteristic which justifies the request. Moreover, strict compliance with the zoning regulations would cause practical difficulty upon the Petitioner and is unnecessary. The parking layout in the manner proposed is entirely appropriate. In addition, pursuant to Section 240.5 of the B.C.Z.R., the granting of the variance relief and this Order will constitute approval of an amendment to the site plan approved in prior Case No. 88-384-SPH.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1996 that the Petition for Variance seeking relief from Sections 243 and 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit parking spaces with direct access to a vehicular travelway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any use permits, the Petitioners shall implement the approved landscaping plan in accordance with Petitioner's Exhibit 1.

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1996

(410) 887-4386

Ms. Shirley M. Murphy
Chief, Division of Real Estate
Baltimore County, Maryland
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
E/S York Road, 1009' S of the c/l of Thelma Street
(2311 York Road)
8th Election District - 3rd Councilmanic District
Baltimore County, Maryland - Owner;
Pantimonium Limited Partnership - Contract Purchaser/Lessee
Case No. 96-435-A

Dear Ms. Murphy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Thomas F. Obrecht, President, and
H. John Brennermann, III, c/o Obrecht Management Group, Inc.
9475 Deereco Road, Suite 400, Timonium, Maryland 21093.

Robert A. Hoffman, Esquire, Venable, Baetjer & Howard
210 Allegheny Avenue, Towson, Md. 21204

People's Counsel: Casey File

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 2311 York Road
adjacent to: Timonium, Maryland 21093
which is presently zoned "M 1"

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached Memorandum in Support of
Petition for Variance.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See attached Memorandum in Support of
Petition for Variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PANTIMONIUM LIMITED PARTNERSHIP
By: Obrecht Management Group, Inc. Baltimore County, Maryland
By: *Thomas F. Obrecht*
Signature: *Thomas F. Obrecht*
Name: Thomas F. Obrecht, Pres.
Address: Suite 400, 9475 Deereco Road
Timonium, Maryland 21093
City: Timonium State: MD Zip: 21093
Signature: *H. John Brennermann, III*
Name: H. John Brennermann, III, Esq.
Address: 111 W. Chesapeake Avenue (887-3251)
Towson, Maryland 21204
City: Towson State: MD Zip: 21204
Signature: *Thomas F. Obrecht*
Name: Thomas F. Obrecht, Pres.
Address: Suite 400, 9475 Deereco Road
Timonium, Maryland 21093
City: Timonium State: MD Zip: 21093
Signature: *H. John Brennermann, III*
Name: H. John Brennermann, III, Esq.
Address: 111 W. Chesapeake Avenue (887-3251)
Towson, Maryland 21204
City: Towson State: MD Zip: 21204

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 6/21/96
By [Signature]

MEMORANDUM IN SUPPORT OF PETITION FOR VARIANCE

Pantimonium Limited Partnership (hereinafter "Petitioner") hereby petitions for a variance from Sections 243 and 409 to allow parking spaces with direct access to a vehicular travelway for the reason that strict conformance with same would result in a practical difficulty and prohibit Petitioner from using the Property for a permitted purpose.

The "MR" property subject to this Petition (hereinafter "Property") is owned by Baltimore County and comprises part of that unimproved ground between Maryland Route 45 (York Road) and the "service road" providing access to businesses and office buildings from 2219 York Road through 2311 York Road. Due to the creation of the service road, the Property has no functional use other than parking and a variance is required to enable its use as same.

The Property is immediately adjacent to the parcel of land known as 2311 York Road, owned by the Petitioner, and previously the subject of a Petition for Special Hearing, Case No. 88-384-SPH. (Therefore, in the alternative, and pursuant to Section 240.5, Petitioner seeks approval of the Zoning Commissioner for a change to the plan submitted and approved in that case.)

Petitioner has secured approval from Baltimore County to lease the Property and improve same for use as off-street parking to accommodate Roadnet Technologies, Inc. (a/k/a United Parcel Service, Inc.) (hereinafter "UPS"), the occupant of the office

building owned by Petitioner and located at 2311 York Road. Baltimore County, as owner of the Property, has joined in this Petition for Variance.

Strict conformance with the off-street parking requirements of Section 409.4 C. would unreasonably prevent the use of the Property for the permitted purpose of parking, which is required by UPS. Moreover, construction of the improvements, as more fully detailed on the plat attached to this Petition, has been approved by the Office of Planning and Zoning as evidenced by the "Interoffice Correspondence", dated June 23, 1994, a copy of which is attached.

The relief requested by Petitioner is in strict harmony with the spirit and intent of the off-street parking regulations described in Section 409.4 C. by insuring that adequate space exists, *i.e.* the service road, for the safe and efficient circulation and maneuvering of vehicles. Furthermore, such relief may be granted without the possibility of injury to the public health, safety and general welfare.

Therefore, for the reasons set forth above and for other reasons to be presented at the hearing, Petitioner seeks the relief requested.

STV Incorporated
21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 544-9112 Fax: (410) 298-2794

96-435-A

ZONING DESCRIPTION FOR
ROADNET PARKING EXPANSION
TIMONIUM, BALTIMORE COUNTY, MARYLAND

BEGINNING at a point along the east side of York Road, Maryland Route No. 45, which is 79.36 feet wide, at the distance of 1,009.17 feet south of the intersection with the projection of the centerline of Thelma Street, which is 40 feet wide, thence running along the east side of said York Road, the four (4) following courses and distances:

1. North 18°27'32" West 170.11 feet to a point, thence
2. North 71°32'28" East 0.64 foot to a point on said east side of York Road (80 feet wide), thence continuing,
3. By a curve to the right having a radius of 17,316.78 feet, an arc length of 242.91 feet, said curve being subtended by a chord bearing North 18°03'25" West 242.91 feet to a point reverse curvature, thence
4. By a curve to the left having a radius of 76,644.36 feet, an arc length of 259.00 feet, said curve being subtended by a chord bearing North 17°45'07" West 259.00 feet to a point, thence leaving York Road and running,
5. North 27°07'45" East 55.66 feet to a point, thence
6. By a curve to the right having a radius of 42.00 feet, an arc length of 82.64 feet, said curve being subtended by a chord bearing South 44°08'26" East 69.94 feet to a point of reverse curvature, thence
7. By a curve to the left having a radius of 508.00 feet, an arc length of 272.21 feet, said curve being subtended by a chord bearing South 03°07'24" East 268.97 feet to a point, thence
8. South 18°28'27" East 388.53 feet to a point, thence
9. South 71°31'33" West 4.58 feet to the place of beginning, which is part of that parcel as recorded in Deed Liber W.J.R. No. 3868, Folio 100.

433

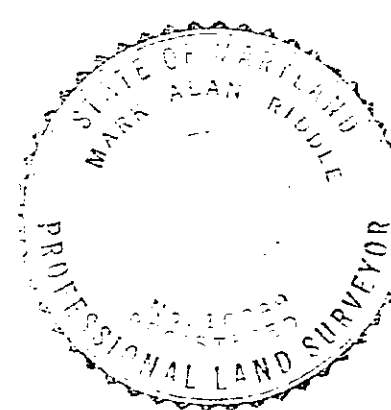
Engineers ARCHITECTS PLANNERS CONSTRUCTION MANAGERS

STV Incorporated

96-435-A

BEING a portion of that parcel shown as "Widening for Service Road" in the subdivision of STRATFORD INDUSTRIAL SITE, as recorded in Baltimore County Plat Book G.L.B. No. 24, Folio 36, and the herein described portion of said parcel contains 11.294 square feet or 0.259 acre of land, and located in the eighth (8th) Election District.

Mark A. Riddle
STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899



February 28, 1996

433

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: Vander Date of Posting: 5/24/96
Posted for: Pantoniun Limited Partnership
Petitioner: Pantoniun Limited Partnership
Location of property: 2311 York Rd
Location of Sign: Signs located on property during zoning
Remarks:
Posted by: Melby Date of return: 5/29/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 17, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 16, 1996

THE JEFFERSONIAN,
A. Henrich
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204 as follows:

Case: 96-435-A
Item: 433
2311 York Road
825 York Road, 1009' S of c/o Thelma Street
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County, Maryland
Lessee: Pantoniun Limited Partnership
Variance: To allow parking spaces with direct access to a vehicular travelway.
Hearing: Thursday, June 13, 1996 at 2:00 p.m. in Room 118, Old Courthouse.
Please call 887-3391 for information concerning the hearing.
5/28 May 16 03500

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3391.
(2) For information concerning the file and/or hearing, please call 887-3391.
5/28 May 16 03500

TO: PETITIONER PUBLISHING COMPANY
May 16, 1996 Issue - Jeffersonian

Please forward billing to:

H. John Bremermann, III, Esq.
c/o Obrecht Management Group, Inc.
9475 Deercro Road, Suite 400
Timonium, MD 21093
561-5858

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-435-A (Item 433)
2311 York Road
825 York Road, 1009' S of c/o Thelma Street
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County, Maryland
Lessee: Pantoniun Limited Partnership

Variance to allow parking spaces with direct access to a vehicular travelway.

HEARING: THURSDAY, JUNE 13, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3391.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 13, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-435-A (Item 433)
2311 York Road
825 York Road, 1009' S of c/o Thelma Street
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County, Maryland
Lessee: Pantoniun Limited Partnership

Variance to allow parking spaces with direct access to a vehicular travelway.

HEARING: THURSDAY, JUNE 13, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Carl J. Jablon
Arnold Jablon
Director

cc: Shirley M. Murphy/Division Real Estate
H. John Bremermann, III, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3391.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 7, 1996

H. John Bremermann, III, Esquire
c/o Obrecht Management Group, Inc.
Suite 400
9475 Deercro Road
Timonium, Maryland 21093

RE: Item No.: 433
Case No.: 96-435-A
Petitioner: Baltimore County

Dear Mr. Bremermann:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 2, 1996.

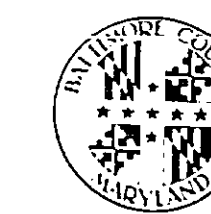
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (Zoning Commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 433 Petitioner: Pantoniun Limited Partnership

Location: 2311 York Rd, Towson, Md.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: H. John Bremermann III c/o P. Fred Obrecht

ADDRESS: 9475 Deercro Road, Suite 400

Timonium, Maryland 21093

PHONE NUMBER: 561-5858

433

12

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: May 20, 1996

FROM: *Carl* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for May 20, 1996
Item No. 433

The Development Plans Review Division has reviewed the subject zoning item. A Schematic Landscape Plan that provides a streetscape buffer for this proposal must be submitted and approved as a condition for receiving the variance. A Final Landscape Plan must be approved as a condition of receiving a grading permit.

RWB:HJD:jbt

cc: File

ZONE10E

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
 FROM: Arnold F. "Pat" Keller, III, Director, OP
 SUBJECT: 2311 York Road

DATE: May 15, 1996

INFORMATION:

Item Number: 433
 Petitioner: Baltimore County, Maryland
 Property Size: _____
 Zoning: M.R.
 Requested Action: _____
 Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

This office should support the Variance with the understanding that all of the landscaping shown on the Concept Plan prepared by our office dated 6/20/94, and as described in our memo to Lois Bergman dated 6/23/94, will be installed and maintained by the petitioner. (The landscaping is not shown on the Plan to Accompany the Zoning Variance).

Granting of the Variance will provide a beneficial use of the property for the petitioner, and improve the physical attractiveness of the area through additional landscaping. The landscaping will also compensate for the loss of visual open space created by the construction of the parking spaces. We do not anticipate any negative impact on health, safety or welfare through the granting of the Variance, so long as the landscaping is provided.

Prepared by: Jeffrey M. Liza
 Division Chief: Carol L. Kern

PK/JL/lw

Baltimore County Government
Fire Department700 East Joppa Road
Towson, MD 21286-5500Office of the Fire Marshal
(410) 887-4880

DATE: 05/16/96

Arnold Jablon
 Director
 Zoning Administration and
 Development Management
 Baltimore County Office Building
 Towson, MD 21204
 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
 IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428,
 429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD
 Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File

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DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
 FROM: R. Bruce Seeley
 Permits and Development Review
 DEPRM
 SUBJECT: Zoning Advisory Committee
 Meeting Date: May 13/1996

DATE: 6-4-96

The Department of Environmental Protection & Resource Management has no
 comments for the following Zoning Advisory Committee Items:

Item #'s: 423 432
 424 433
 425 434
 426 435
 428 436
 429
 430
 431

Seeley

RBS:sp

BRUCE2/DEPRM/TXTSPB

Maryland Department of Transportation
State Highway AdministrationDavid L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
 Baltimore County Office of
 Permits and Development Management
 County Office Building, Room 109
 Towson, Maryland 21204

RE: Baltimore County
Item No. 433 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to
 approval, as a field inspection reveals the existing entrance onto MD 45 45
 is acceptable to the State Highway Administration (SHA) and this development is not
 affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank
 you for the opportunity to review this item.

Very truly yours,

Bob Small
 Ronald Burns, Chief
 Engineering Access Permits
 Division

BS

My telephone number is _____
 Maryland Relay Service for Impaired Hearing or Speech
 1-800-735-2258 Statewide Toll Free
 Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#423 --- JRF

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

#426 --- JLL

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

#428 --- CAM

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.

#429 --- JLL

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

#431 --- CAM

1. No review information on bottom of petition form.

#433 --- JRA

1. No wording or section number of petition form for variance.
2. Folder says zoning is "B.M. & M.R."; petition says zoning is "M.R." - which is correct??
3. Checks and receipt still in folder - never cashed.

#435 --- JJS

1. Need title of person signing for legal owner. Need authorization for person signing for legal owner.

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 2, 1996

TO: Hearing Officer

FROM: John R. Alexander
 Planner II
 Zoning Review, PDM

SUBJECT: Item #433
 2311 York Road

The applicant, H. John Bremermann, has been advised that additional information including modifications to the site plan to show the entire property and structures and buildings on adjacent properties should be made before the application is submitted.

He has elected to proceed at his own risk and insists on submitting the application as is.

JRA:scj

RE: PETITION FOR VARIANCE
 2311 York Road, E/S York Road, 1099' S
 of c/o Thelma Street, 8th Election
 District, 3rd Councilmanic
 Legal Owner: Baltimore County, Maryland
 Lessee: Pantimonium Limited Partnership
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 CASE NO. 96-435-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carol S. Demilio
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 587-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to H. John Bremermann, III, Esquire, c/o Obrecht Mgmt. Group, Inc., 9475 Deereco Road, Suite 400, Timonium, MD 21093, attorney for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

OVERNIGHT DELIVERY

April 30, 1996

Mr. John R. Alexander
 Baltimore County Office of Zoning
 Administration & Development Management
 Development Control
 111 West Chesapeake Avenue
 Room 109
 Towson, Maryland 21204

Re: Petition for Variance
 Pantimonium Limited Partnership
 Leasing of a portion of
 York Service Road
 For additional parking
 The Roadnet Building
 2311 York Road
 Timonium, Maryland 21093

Dear John:

As a follow-up to our meeting this morning, I am enclosing the completed Application referenced above, together with all attachments. At your request, I am also enclosing a check in the amount of \$250.00 to cover the recordation fee for the Application. Also enclosed is a check in the amount of \$47.00 representing \$12.00 in "copying costs" and \$35.00 for signage.

By copy of this correspondence, I am advising Tony Cortea of STV Group of the Petitioner's need to modify the plan to include certain information with regard to adjoining property owners. I hope to provide a copy of that plan at the time of the hearing.

I appreciate your assistance and, if you should require anything further, please do not hesitate to contact me directly.

Very truly yours,

PANTIMONIUM LIMITED PARTNERSHIP

By: Obrecht Management Group, Inc.
 Managing General Partner

By: H. John Bremermann, III
 H. John Bremermann, III
 Vice President/General Counsel

HJB/pg/jb1430
 Enclosures
 cc: All Partners
 Mr. Anthony J. Cortea

433

5/7/96

96-435-11

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Lois Bergman DATE: June 23, 1994
FROM: 287-3886 Kathy Schlabach
Office of Planning & Zoning
SUBJECT: York Service Road, File No. I-94-021

We have met with KCI Technologies Inc. and Mr. Chrecht to discuss the release of this property. We have reached an understanding that if the property is developed in accordance with the enclosed conceptual plan prepared by the Baltimore County Office of Planning and Zoning, dated 6-20-94, to include 20 to 21 perpendicular compact parking spaces, buffer and ornamental landscaping, and street trees along the entire length, we are willing to release our hold on the property. We would like to see the above incorporated as a deed restriction. The property could be developed for other uses, or serve other needs, and therefore its sale should be subject to an open bid process.

RS:lw
KSYASER.RD/PZONE/TITLE

Enclosure
cc: Brian Sullivan, KCI Technologies, Inc.
Steve Weber, Balto. Co. Traffic Engineering

Postnet Fax Note	7871	Date	7/26/94	Time	12
TO: KCI - CORRECT	From	BAV HEIC			
FROM: PROGRESS	Co	WCI			
Phone: 311-5856	Phone	316 7852			
Fax: 316-2367	Fax	316 7893			

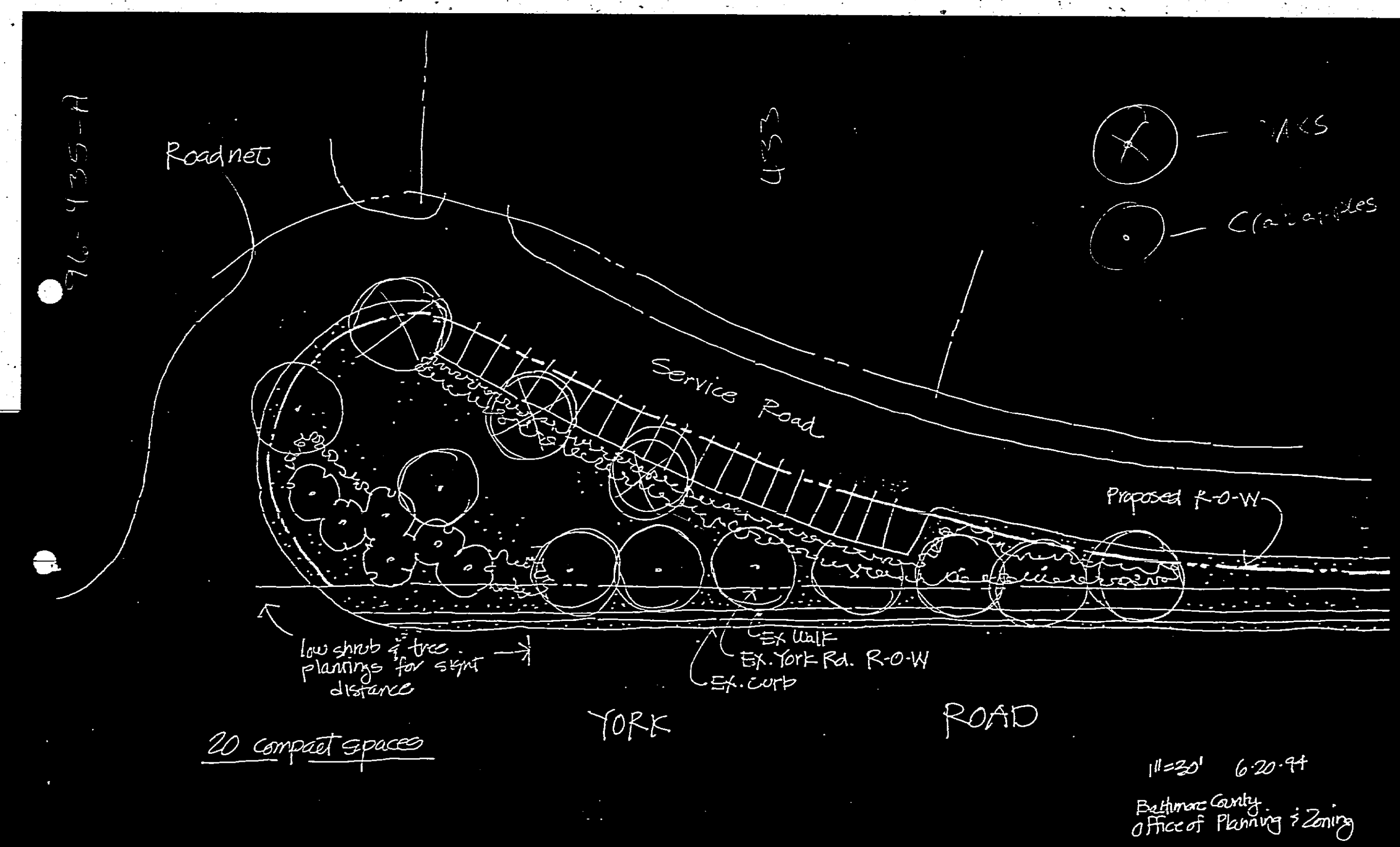
JUN 23 1994

433

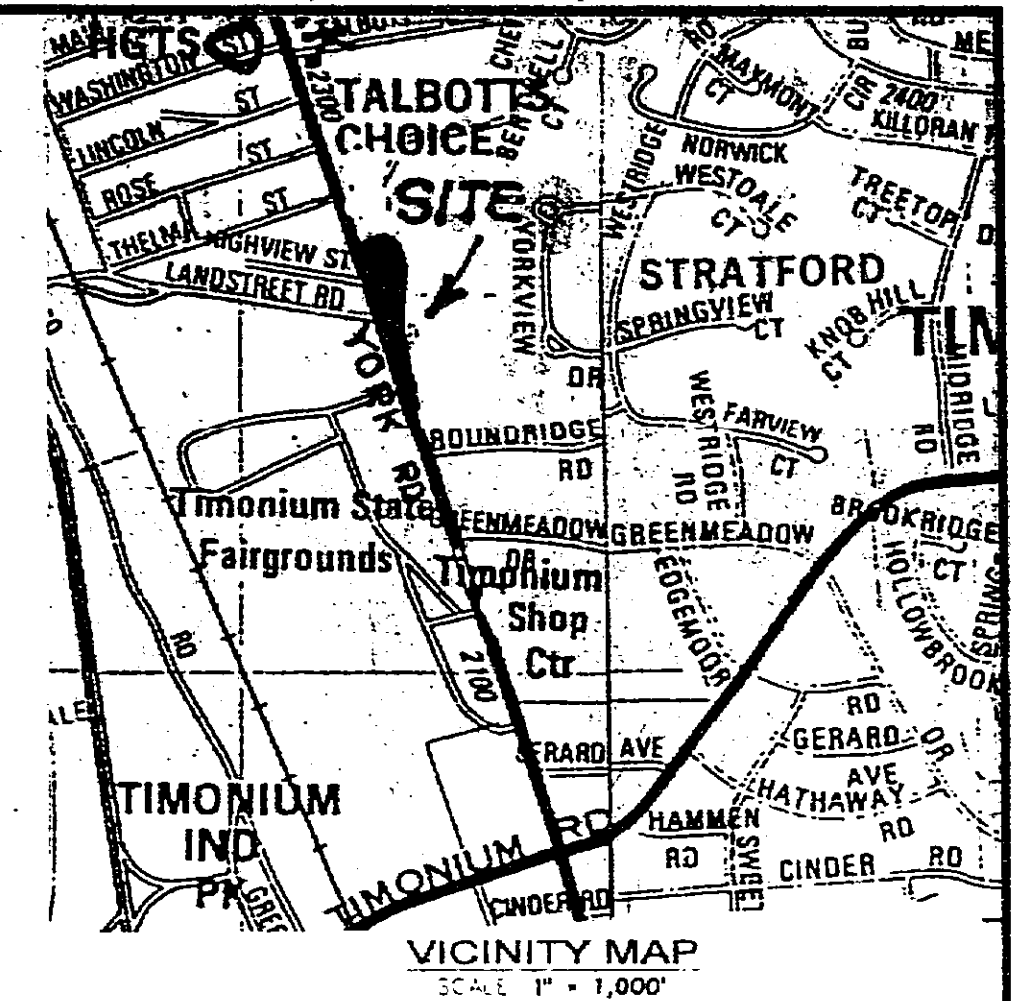
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert H. H. H.	210 Alameda Ave 2nd
Tom F. Chrecht	4475 Deere Rd
Paul B. Dittmer	2311 York Rd 2nd
Debra Wittle	571 Group 21 Garrison St.
H. John Sullivan III	9476 Deere Rd



- GENERAL NOTES
1. QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE AMERICAN ASSOCIATION OF JOURNALISTS, "JOURNAL STANDARDS FOR ROADS, 1997".
 2. CONTRACTOR SHALL BE REQUIRED TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR AFTER INSTALLATION IS COMPLETE AND APPROVED. ALL PLANT MATERIALS SHALL BE GUARANTEED TO BE REPLACED OR REPLANTED AT THE CONTRACTOR'S EXPENSE AS SPECIFIED.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
 4. NO SUBSTITUTIONS SHALL BE MADE WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT.
 5. ALL TREES NOT ESTABLISHED IN PAVING OR PLANT MATERIALS SHALL BE SEEDS AND MULCHES.
 6. ALL SHADE TREES SHALL BRANCH A MINIMUM OF 1'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE PLANTING DETAIL SHOWN.
 7. PLANTING SOIL MIX: 2/3 EXISTING SOIL, 1/3 ALL STONES OR DEBRIS 2" OR LARGER (ROCKS), 1/3 FERTILIZER, COMPOST, SLUDGE OR OTHER ORGANIC MATERIAL.
 8. ALL GRASSSEEDS AND SHADE TREES SHALL RECEIVE 3" TOPSOIL, THOROUGHLY LOOSED, UNTIL THE TOP OF EXISTING SOIL. ALL SEEDS TO BE MULCHED 3" DEEP WHEN PLANT INSTALLATION IS COMPLETE.
 9. BEARINGS AND COORDINATES AS SHOWN HEREON ARE BASED ON THE BALTIMORE COUNTY METROPOLITAN DISTRICT GRID MERIDIAN AS REFERENCED FROM TRAVERSE CONTROL STATION 12263 NORTH 54,600.40 WEST 3,887.70 12264 NORTH 54,192.03 WEST 3,721.63
 10. ELEVATIONS AS SHOWN HEREON ARE BASED ON BENCH MARK ON BOND TRAVELER CONTROL STATION 12263 WHICH IS A NO. 5 BAR RESET IN THE MACADAM ENTRANCE TOP THE MARSHALL STATE FAIR GROUNDS AS SHOWN ON THE SURVEYED SITE INDICATED HEREON ELEVATION 412.25
 11. OWNER: BALTIMORE COUNTY MARYLAND R/W PLAT 388/100 TO BE LEASED BY: ROADNET LIMITED PARTNERSHIP
 12. GROSS AREA: 11,614 SF NET AREA: 11,614 SF
 13. ZONING MAP NO. NW 14-A
 14. NO PREVIOUS ZONING CASES OR BUILDING PERMITS HAVE BEEN ISSUED FOR THIS SITE

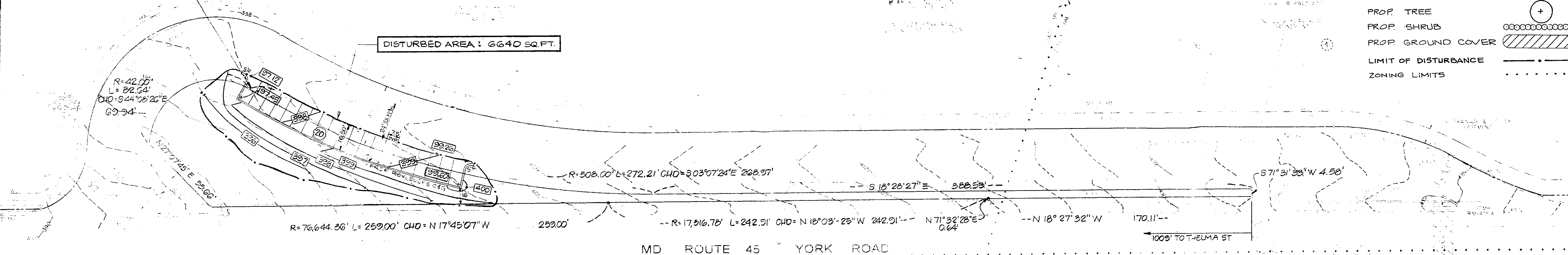


LEGEND

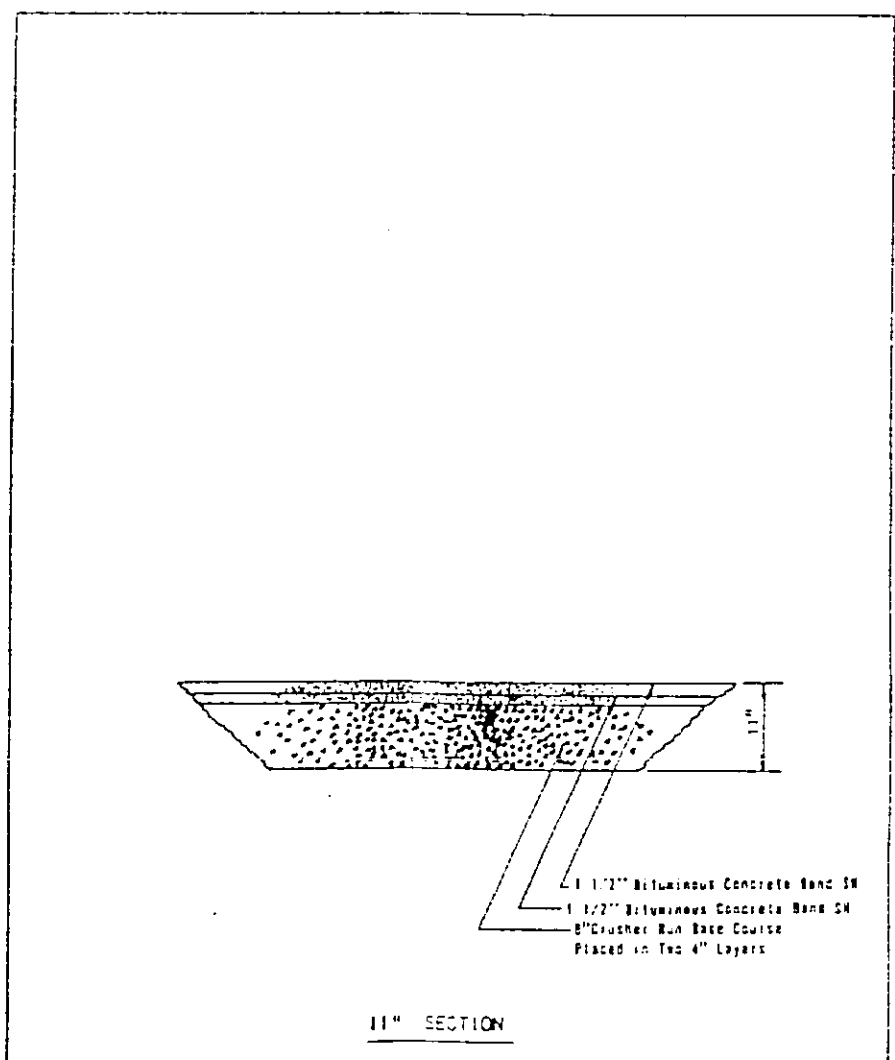
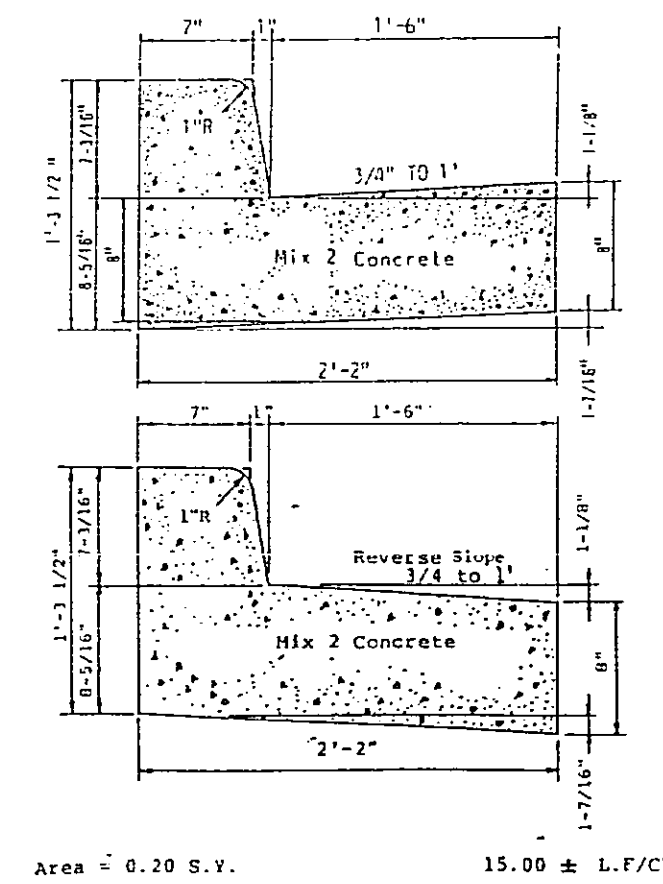
EX. PROPERTY LINE	---
EX. CONTOUR	--- 401 ---
EX. CURB	---
EX. SANITARY LINE	8" SAN.
EX. STORM DRAIN	21" S.D.
EX. FIRE HYDRANT	24"
EX. INLET	21" S.D.
PROP. CONTOUR	---
PROP. CURB & GUTTER	---
PROP. TREE	(+)
PROP. SHRUB	
PROP. GROUND COVER	
LIMIT OF DISTURBANCE	---
ZONING LIMITS	---

ADJUST EX. SAN. MANHOLE
FROM RIM BL. 397.35

DISTURBED AREA: 6640 SQ. FT.



DESIGN NOTE: ALTERNATE PORTLAND CEMENT CONCRETE CURB SECTIONS MAY BE CONSIDERED WHERE SIDEWALKS ARE NOT CURRENTLY REQUIRED OR PERSONALLY ANTICIPATED.



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS

ROAD & STREET DETAILS
7" CONCRETE CURB AND GUTTER
DATE: OCT. 1977
REVISION: 1977
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PLAT: 388/100

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS

ROAD & STREET DETAILS
7" CONCRETE CURB AND GUTTER
DATE: OCT. 1977
REVISION: 1977
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PLAT: 388/100

STV Group
engineers / architects / planners / scientists / construction managers
21 Governor's Court, Baltimore, MD 21244-2722 (410) 944-1112

REVISIONS

NO.	DATE	DESCRIPTION

GRAPHIC SCALE

PLAN PREPARATION

DESIGNED BY: M.W.K.	DATE: 28 FEB. 1990
DESIGNED BY: M.W.K.	SCALE: 1" = 30'
DESIGNED BY: P.C.R.	

PLAN TO ACCOMPANY ZONING VARIANCE

ROADNET
PARKING EXPANSION
2311 YORK ROAD
ELECTION DISTRICT NO. 8 COUNCILMATIC DISTRICT NO. 3
BALTIMORE COUNTY, MARYLAND

DRAWING NO. 61-9264
SHEET NO. 1 of 1

96-435-A

